

## Message Text

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PAGE 01 OTTAWA 01512 172206Z

72

ACTION ARA-20

INFO OCT-01 EUR-25 ISO-00 SCS-03 L-03 SCA-01 PPT-02 SY-04

FBIE-00 TRSE-00 JUSE-00 CIAE-00 DODE-00 INR-10 NSAE-00

PA-04 RSC-01 USIA-15 PRS-01 SP-03 AF-10 SSO-00 DRC-01

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P 172133Z MAY 74

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC PRIORITY 3497

C O N F I D E N T I A L OTTAWA 1512

E.O. 11652: N/A

TAGS: CGEN, PINS, CU, CA

SUBJECT: U.S. HIJACKERS IN CUBA.

REF : STATE 099757

1. EMBOFF CONVEYED QUESTIONS PARA 2 REFTEL TO DIRGEN BUREAU OF CONSULAR AFFAIRS WHO PROVIDED FOLLOWING TENTATIVE RPT TENTATIVE REPLIES SUBJECT TO CONFIRMATION AFTER CONSULTATION WITH OTHER APPROPRIATE CANADIAN AUTHORITIES.

2. UNDER CANADIAN IMMIGRATION ACT, PARA 5(D) "PERSONS WHO HAVE BEEN CONVICTED OF OR WHO ADMIT HAVING COMMITTED ANY CRIM INVOLVING MORAL TURPITUDE..." ARE NOT ADMISSIBLE TO CANADA. PRESUMABLY THEIR CRIMINAL HISTORY WOULD BE MADE KNOWN TO CANADIAN AUTHORITIES BEFOREHAND. IN ANY EVENT, ANY PERSON CLAIMING TO BE U.S. CITIZEN OR NOT APPEARING TO BE CUBAN BUT TRAVELLING ON CUBAN DOCUMENTATION WOULD BE SUBJECTED TO CLOSE SCRUTINY.

3. RE QUESTION A: IF HIJACKER HISTORY OF INDIVIDUAL WERE NOT RPT NOT KNOWN TO IMMIGRATION INSPECTOR AND IF APPLICANT FOR ADMISSION, UNABLE TO ESTABLISH U.S. CITIZENSHIP, SOUGHT ENTRY ON BASIS OF CUBAN TRAVEL DOCUMENTATION, CANADIAN  
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PAGE 02 OTTAWA 01512 172206Z

IMMIGRATION INSPECTOR WOULD REQUIRE VISA IN ACCORD WITH

CURRENT RECIPROCAL PRACTICE BETWEEN CANADA AND CUBA.

4. RE QUESTION B: CANADIAN PRACTICE IS TO GIVE VISITORS' VISAS TO PERSONS ENTERING FOR TRANSIT. VISITORS USUALLY ALLOWED TO STAY UP TO NINETY DAYS. ONCE ADMITTED, THERE WOULD BE VIRTUALLY NO FURTHER CONTROL.

5. FOREGOING PROCEDURES WOULD NOT, OF COURSE, RULE OUT POSSIBILITY OF U.S. HIJACKER TRAVELLING ABOARD SURFACE VESSEL FROM OBTAINING ENTRY, POSSIBLY AT SOME REMOTE CANADIAN PORT, BY CONVINCING IMMIGRATION INSPECTOR THAT HE IS AMERICAN CITIZEN ON WAY BACK TO U.S. ONCE ADMITTED, NO CONTROL OF FUGITIVE COULD BE MAINTAINED.

6. RE QUESTION B: GOC WOULD NOT RPT NOT BE IN A POSITION TO TAKE CUSTODY OF HIJACKERS AND TURN THEM OVER TO U.S. AUTHORITIES. THERE WOULD BE NO GROUNDS FOR DETENTION OTHER THAN RESPONDING TO A REQUEST FOR EXTRADITION COUPLED WITH PROVISIONAL ARREST. UNDER U.S.-CANADIAN EXTRADITION TREATIES, HIJACKING IS NOT RPT NOT AN EXTRADITABLE OFFENSE.

7. WHILE, AS STATED, CANADIANS DO NOT BELIEVE THAT THEY COULD BECOME INVOLVED IN TRANSFER OF CUSTODY OF SUCH PERSONS, THEY CANNOT GIVE ANY ASSURANCE THAT GOC INVOLVEMENT WITH U.S. HIJACKERS FROM CUBA CAN TAKE PLACE WITHOUT PUBLICITY.

8. FOREGOING INFORMATION PROVIDED BY EXTAFF ON INFORMAL BASIS AND IS SUBJECT TO CONFIRMATION AFTER FURTHER STUDY WITH OTHER GOC DEPARTMENTS. EXTAFF EXPRESSED HOPE THAT, IN ANY EVENT, GOC WOULD BE APPRISED BEFOREHAND OF IDENTITIES OF ANY SUCH PERSONS WHO MIGHT BE HEADING TOWARD CANADA.  
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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AIRCRAFT HIJACKING, EXTRADITION, IMMIGRATION CONTROL, ARRESTS, FOREIGN POLICY POSITION  
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**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** blochd0  
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**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
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**Previous Handling Restrictions:** n/a  
**Reference:** STATE 099757  
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**Review Authority:** blochd0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 16 JUN 2005  
**Review Event:**  
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**Review History:** RELEASED <15 APR 2002 by kelleyw0>; APPROVED <26 JUL 2002 by garlanwa>; WITHDRAWN <13 Jun 2005 by BoyleJA, PRIVACY>; RELEASED <16 JUN 2005 by powellba2>; APPROVED <20 JUN 2005 by blochd0>  
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**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** U.S. HIJACKERS IN CUBA.  
**TAGS:** CGEN, PINS, CU, CA  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005